

In May 2014 European Parliament elections in the Netherlands, the far-right Party for Freedom (PVV), known for its anti-immigration and anti-European Union (EU) views, unexpectedly finished in third place, behind pro-EU parties. The PVV, led by anti-Islam populist Geert Wilders, had dropped in the polls before the elections, after Wilders in a March speech vowed to see to it that there would be “fewer Moroccans” in the country. In December, prosecutors said he would face criminal charges for those remarks.

Political Rights and Civil Liberties:

Political Rights: 40 / 40 [Key]

A. Electoral Process: 12 / 12

The Netherlands is governed under a parliamentary system. The monarchy is largely ceremonial; its residual political role of mediating coalition talks on government formation was eliminated in 2012. The monarch appoints the prime minister, usually the leader of the majority party or coalition, as well as the Council of Ministers (cabinet) and the governor of each province on the recommendation of the majority in parliament. The 150-member lower house, or Second Chamber, is elected every four years by proportional representation. The 75-member upper house, or First Chamber, is elected for four-year terms by the country’s provincial councils, which in turn are directly elected every four years.

General elections were held in September 2012 after the government collapsed in April. Prime Minister Mark Rutte led his center-right People’s Party for Freedom and Democracy (VVD) to first place, winning 41 seats, while the center-left Labor Party (PvdA) took 38 seats. The two parties then formed a coalition government. The PVV dropped to 15 seats, from 24.

Mayors are appointed from a list of candidates submitted by the municipal councils, which are directly elected every four years. Foreigners residing in the country for five years or more are eligible to vote in local elections. Aruba and the Netherlands Antilles have had voting rights in European Parliament elections since 2009.

B. Political Pluralism and Participation: 16 / 16

Political parties operate freely, and there are regular rotations of power in the country’s multiparty system. Right-wing parties with anti-immigration and Euroskeptic platforms have enjoyed some popularity over the past decade, though they have remained out of government. The ruling coalition that stepped down in late 2012 relied on external support from the PVV. After leading in the polls for months, the PVV took just 13.2 percent of the vote in the May 2014 European Parliament elections, down from 17 percent in the previous European elections in 2009, and the party ended up with four seats, down from five. Wilders had previously announced plans to form a bloc with other European far-right parties, including the French National Front and the Austrian Freedom Party.

C. Functioning of Government: 12 / 12

The country has few problems with political corruption. The Netherlands was ranked 8 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. In 2013, the Organisation for Economic Co-operation and Development (OECD) issued a report warning that the Netherlands was failing to adequately enforce laws against bribery by Dutch individuals and companies doing business abroad. In May 2014, Gerrit Schotte, the first prime minister of Curaçao since it became an autonomous constituent country of the Kingdom of the Netherlands in 2010, was detained for a week on suspicion of money laundering and forgery.

Civil Liberties: 59 / 60

D. Freedom of Expression and Belief: 16 / 16

The news media are free and independent. The 1881 lèse majesté laws restricting defamation of the monarch are rarely enforced. The government does not restrict access to online media, though users and website operators can be punished for content deemed to incite discrimination. In January 2014, a Dutch appeals court overturned a lower court's 2011 order that required internet service providers to block access to the website Pirate's Bay, which served as a hub for the sharing of materials including music and movies in violation of copyright. The appeals court found that the ban had been ineffective and in fact led to greater use of illegal downloading services.

The constitution guarantees freedom of religion, and the Netherlands has long been known as a tolerant society. However, rising anti-immigrant sentiment in recent years has been accompanied by more open expression of anti-Islamic views. Members of the country's Muslim community have encountered increased hostility, including harassment and verbal abuse, as well as vandalism and arson attacks on mosques. Meanwhile, high-profile critics of Islam have faced threats of violence. In 2011, PVV leader Geert Wilders was acquitted on charges of discrimination and inciting hatred of Muslims through his editorials and his film *Fitna*. The court ruled that Wilders' comments were part of public debate and were not a direct call for violence. In December 2014, after an investigation of Wilders's anti-Moroccan remarks during the March campaign rally, prosecutors said he would be charged with "insulting a specific group based on race and inciting discrimination and hatred."

The government requires all imams and other spiritual leaders recruited from Muslim countries to take a one-year integration course before practicing in the Netherlands. In 2011, the cabinet introduced a ban on clothing that covers the face, imposing a maximum fine of €380 (\$460) for the first violation. However, the measure did not come to a vote in parliament and was shelved after the PVV-backed government fell in 2012. The VVD-PvdA coalition agreement of 2012 also called for a ban on such clothing in public settings, including schools, hospitals, public transportation, and government buildings, and for withholding social security benefits from people who wore the garments, but it has not been enacted.

In August 2014, police in the Netherlands and Germany arrested three Dutch citizens on charges of recruiting for fighters for the Islamic State militant group in Iraq and Syria and inciting hatred on the internet. Police had previously arrested nine others on similar charges during a 16-month investigation. Between 100 and 200 Dutch citizens have reportedly traveled to those two countries to fight for the Islamic State. The Dutch cabinet announced new policies to curb Islamic extremism in August, including revoking the citizenship of those who travel abroad to fight as jihadists.

Religious organizations that provide educational facilities can receive subsidies from the government. The government does not restrict academic freedom or private discussion.

E. Associational and Organizational Rights: 12 / 12

Freedoms of assembly and association are respected in law and in practice. National and international human rights organizations operate freely without government intervention. Workers have the right to organize, bargain collectively, and strike.

F. Rule of Law: 15 / 16

The judiciary is independent, and the rule of law prevails in civil and criminal matters. The police are under civilian control, and prison conditions meet international standards.

The population is generally treated equally under the law, although human rights groups have criticized the country's asylum policies for being unduly harsh and violating international standards. The Justice Ministry in December 2014 reported that the number of people seeking asylum in the Netherlands had risen to about 25,000 that year, from 14,400 in 2013.

In a decision released in November 2014, the Council of Europe told the Netherlands that the government had an obligation as a signatory to the European Social Charter to provide everyone living in the country with shelter, health care, food, and clothing, including failed asylum seekers who refused to be deported. In December, a group of UN human rights experts issued a call to the Netherlands to provide emergency aid to "homeless irregular migrants." In May 2014, a court in Darmstadt, Germany, had ruled that a Somali asylum seeker could not be deported to the Netherlands, which had rejected his request for asylum, because he could be subject to "inhumane treatment" there. The court said the Netherlands did not allow asylum seekers to work and stopped providing them with food and shelter if their applications were rejected.

G. Personal Autonomy and Individual Rights: 16 / 16

Residents of the Netherlands generally enjoy freedom of movement and choice of residence, employment, and institution of higher education. Property rights are upheld by the country's impartial courts.

The government has vigorously enforced legal protections for women, including in employment and family law. Women held 58 of the 150 seats in the lower house of parliament after the 2012 elections, and 26 of 75 seats in the upper chamber.

Dutch laws protect LGBT (lesbian, gay, bisexual, and transgender) people from discrimination and violence. The Netherlands was the first country in the world to legalize same-sex marriage, in 2001.

The Netherlands is a destination and transit point for human trafficking, particularly in women and girls for sexual exploitation. A 2005 law expanded the legal definition of trafficking to include forced labor, and increased the maximum penalty for convicted offenders. Prostitution is legal and regulated in the Netherlands, though links between prostitution and organized crime have been reported.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)